



# City Council Agenda

Council President  
**Chris Mathys**

Council Members

**Garry Bredefeld**  
**Mike Briggs**, Acting President  
**Henry Perea**

**Sal Quintero**  
**Daniel Ronquill**  
**Ken Steitz**

City Manager  
**Jeffrey M. Reid**

City Clerk  
**Rebecca E. Klisch**

City Attorney  
**Hilda Cant Montoy**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, JUNE 16, 1998

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS

9:00 A.M. Roll Call

Invocation

Pledge of Allegiance to the Flag

Proclamation of "LITTLE LEAGUE WEEK" - Councilmember Steitz - Read and presented

COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve minutes of June 9, 1998

Action Taken: Approved

Approve Agenda

Action Taken: Approved

Adopt Consent Calendar

Action Taken: Adopted

#### TIME SCHEDULED HEARINGS AND MATTERS

9:15 A.M. Direct staff to prepare documents for initiation of amendments to the Fresno General Plan and the Bullard Community Plan including appropriation documents for the purpose of alternative route for bike path (north on Van Ness, west on Spruce and south on Marks) - Council President Mathys

Action Taken: Failed

9:30 A.M. Appearance by Mike McCall, Commissioner of the West Coast Hockey League - Councilmembers Steitz and Perea

Action Taken: Appearance made

9:45 A.M. \* Restore \$150,000 in the form of direct funding to the Economic Development Corporation in the Fiscal Year 1998-99 budget. Funding alternatives as follows: (Requires 5 affirmative votes) (Councilmember Perea)

1. \* a. Eliminate (3 year vacant) Director of Parks and Recreation position funded at \$98,000

\* b. Eliminate newly created City Engineer position funded at \$96,200

2. Identify salary and benefit savings of existing and/or newly created vacant positions up to \$150,000

Action Taken: Restoration of funding approved; staff to report back with funding source

10:00 A.M. HEARING on City of Fresno Housing Programs and Policies as required by the settlement agreement with Family Alliance for the Mentally Ill (FAMI) (Continue to 7/28/98 at 10:00 a.m.)

Action Taken: Continued to 7/28/98 at 10:00 a.m.

10:15 A.M. - 10:30 A.M. RECESS

10:30 A.M. HEARING to consider Plan Amendment No. A-98-06 and Rezoning Application No. R-98-08, filed by Sam Lucido, for a 2.3 acres of property on the southeast corner of N. Maple and E. Nees Avenues

1. RESOLUTION - Denying amendment to the Woodward Park Community Plan (Planning Commission Recommendation)

2. RESOLUTION - Amending the Woodward Park Community Plan from the medium-low density residential to the office commercial plan designation (Applicant's Request)

3. BILL - Amending the Official Zone Map from the AE-20/UGM to the R-P/UGM/cz zone district (Applicant's request)

Action Taken: Continued to 6/30/98 at 10:30 a.m.

#### TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

10:45 A.M. Direct staff to return with enabling documents relating to the establishment of a Post Retirement Supplemental Program for Employees Retirement System - Councilmember Quintero

Action Taken: Direction approved

11:00 A.M. BILL NO. B-35 (INTRO. 5/19/98) - Amending Chapter 6, Article 19 of the Fresno Municipal Code relating to "Tow Cars"

Action Taken: Discussed; tabled two weeks

#### 11:30 A.M. REGULAR MEETING WITH THE REDEVELOPMENT AGENCY

Approve minutes of May 26, 1998

Action Taken: Approved

A. HEARING - on the FY 1998-99 budget of the Redevelopment Agency of the City of Fresno

Action Taken: Held

1. RESOLUTION - Adopting the Annual Appropriation Resolution (AAR) for the FY 1998-99 budget of the Redevelopment Agency of the City of Fresno

Action Taken: Resolution No. 1485 adopted

#### ADJOURN AGENCY

2:00 P.M.#1 DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)

2:00 P.M.#2 CLOSED SESSION:

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Government Code Section 54956.9, Subdivision (a)

1. Case Name: Pacific Coast/Power Construction, Inc., v. Western Summit/City of Fresno

2. Case Name: Claim of Western Summit Constructors, Inc. Against the City

3 Case Name: Oday Mounsaveng aka Tony Vong v. City of Fresno, et al.

Action Taken: Held

B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Government Code Section 54956.9, Subdivision (a) - Council President Mathys

1. Case Name:

Civic Center Square, Inc. v. City of Fresno, et al.; Fresno Superior Court No. 612624-7;

City of Fresno v. Civic Center Square, et al.; Fresno Superior Court No. 612631-2;

City of Fresno v. Gordon M. Webster, Jr., et al.; Fresno Superior Court No. 612630-4;  
City of Fresno v. Civic Center Square, et al.; Fresno Superior Court No. 612629-6

Action Taken: Held

C. CONFERENCE WITH LEGAL COUNSEL - DECIDING WHETHER TO  
INITIATE LITIGATION - Government Code Section 54956.9, Subdivision (c)

1. Case Name: City of Fresno, Various Defendants involved in manufacturing, sale and  
distribution of PB Piping

Action Taken: Held

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

4:30 P.M. Consideration of bills relating to advertised structures (billboards)

A. HEARING to consider the appeal of the findings of the Negative Declaration  
prepared for Environmental Assessment No. TA-97-09

Action Taken:

B. Adoption of Negative Declaration for Environmental Assessment No. TA-97-09

Action Taken:

C. Text Amendment No. TA-97-09, proposing changes to Chapter 12, Article 2 of the  
Fresno Municipal Code related to advertised structures (for introduction)

\* 1. BILL - Alternative No. 1 as proposed by Advertising Industry

Action Taken:

\* 2. BILL - Alternative No. 2 as proposed by Staff

Action Taken:

D. Continue hearing on adoption of Text Amendment No. TA-97-09 proposing changes  
to Chapter 12, Article 2 of the Fresno Municipal Code relating to advertised structure  
(Continue to 6/23/98 at 4:30 p.m.)

Action Taken: Continued to 8/18/98 at 5:30 P.M.

1A. GENERAL CONSENT CALENDAR:

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED BY THE CITY  
COUNCIL TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION.  
THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS  
REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM  
THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.#1)

1. Approve appointments of Goldie Lewis to the Historic Preservation Commission and  
Keith Wilcox to the Parking Authority - Mayor Patterson (for adoption)

Action Taken: Approved

2. RESOLUTION - Authorizing an extension of the Development Agreement No. PC-1  
for the Dominion Planned Community, property located on the north side of E. Shepherd

Avenue between N. Friant Road and N. Cedar Avenue

Action Taken: Resolution No. 98-166 adopted

3. RESOLUTION - Approving the Final Subdivision Map of Tract No. 4781, of Vesting Tentative Tract No. 4759/UGM 578, and accepting dedicated public uses therein

Action Taken: Resolution No. 98-167 adopted

a. RESOLUTION - Certifying that provisions have been made for segregation of the existing assessment to each of the new parcels being created by Tract No. 4781

Action Taken: Resolution No. 98-168 adopted

\* 4. RESOLUTION - 112th amendment to AAR No. 97-110 appropriating \$50,000 for the Tower District Marketing Committee's operations and special projects - Councilmember Briggs (Requires 5 affirmative votes)

Action Taken: Resolution No. 98-169 adopted

1A. GENERAL CONSENT CALENDAR CONTINUED:

5. Approve the 1998-99 Fresno Workforce Development Board Agency and Personnel Plan

Action Taken: Approved

6. Reject all bids for three (3) new class 6 crew cab trucks with flat bed dump bodies

Action Taken: Rejected

7. Award a contract for one (1) new class 8 service body truck with digger derrick

Action Taken: Awarded to Fresno Truck Center/\$166,264.52

8. Reject all bids for six (6) new automated side loading refuse trucks

Action Taken: Rejected

9. Award a contract for one (1) new vibratory asphalt roller

Action Taken: Awarded to Sequoia Equipment Co./\$40,890.05

10. Award a requirement contract for cationic polymer

Action Taken: Awarded to Cytec Industries/\$330,278.90

11. Award a contract for travel agent services

Action Taken: Awarded to Mark Lewis Travel Network dba Grannis Travel

\* 12. RESOLUTION - 110th amendment to AAR No. 97-110 appropriating \$679,500 to complete funding of the FY 98 Cold-in-Place Pavement Recycling Project (Requires 5 affirmative votes)

Action Taken: Resolution No. 98-170 adopted

a. Award a contract for pavement recycling of various streets within the City of Fresno,

1998 Phase I

Action Taken: Awarded to M.J. Menefee Construction/\$1,768,790.95

13. ITEM REMOVED FROM AGENDA

14. Approve service extension past age 61 for Deputy Chief of Police L.H. McDaniel

Action Taken: Approved

15. Approve service extension past age 60 for Police Sergeant Frank Floyd

Action Taken: Approved

1A. GENERAL CONSENT CALENDAR CONTINUED:

\* 16. RESOLUTION - 348th amendment to MFS Resolution No. 80-420 to establish a program administration fee for participants in the First Offender Prostitution Program

Action Taken: Resolution No. 98-171 adopted

17. RESOLUTION - Intention to annex Final Map of Tract No.s 4570, 4736 and 4823 to the City of Fresno Community Facilities District No. 2, authorize the levy of special taxes and setting the hearing for July 21, 1998 at 3:00 p.m.

Action Taken: Resolution No. 98-172 adopted

\* 18. RESOLUTION - 111th amendment to AAR No. 97-110 appropriating \$188,200 to provide funding for underground storage tank removal for various City fire stations (Requires 5 affirmative votes)

Action Taken: Resolution No. 98-163 adopted

a. Approve a Professional Services Agreement with Dale Rutherford, A.I.A., for design services for underground storage tank closure/removal and replacement at:

1. Fresno Wastewater Treatment Plant
2. Various Fire Department locations; and
3. Ted C. Wills Center

Action Taken: Approved

19. Approve Contract Change Order No. 44 for Fresno Yosemite International (FYI) terminal building, concourse and baggage claim renovations and ADA improvements CIP Nos.: 186502, 186700, 186908, 187500, 187609, 188003, & 183616/5930

Action Taken: Approved

20. RESOLUTION - Rescinding designation of the T.E. Mellen Home, 250 N. Yosemite, from the City of Fresno's Local Official Register of Historic Resource #224

Action Taken: Resolution No. 98-164 adopted

21. Approve proposed revisions to operating procedures for 1998 Festival of Lights at Woodward Park

Action Taken: Approved

22. Authorize an application to the Department of Conservation, Division of Recycling for grant funds to promote and increase recycling efforts and to establish a Beverage Container Recycling Education Program for high school students

Action Taken: Authorized

23. RESOLUTION - Creating a Commission to conduct a review of City Charter and Municipal Code Sections concerning competitive bidding and to make recommendations for reforming competitive bidding requirements

Action Taken: Resolution No. 98-165 adopted

#### 1B. CONSENT CALENDAR - BILLS FOR INTRODUCTION - PINK TABS

#### 2. PLANNING AND ZONING ADMINISTRATION

#### 3. GENERAL ADMINISTRATION

\* A. BILL NO. B-37 (INTRO. 6/9/98) - Amending Section 7-502(e), 7-512(c), 7-546(l) and adding Section 7-522(k); 7-523(g), 7-546(x) and (y) of the Fresno Municipal Code, relating to Card rooms and compliance with State Gambling Control Act

Action Taken: Ordinance No. 98-39 adopted

\* B. BILL NO. B-38 (INTRO. 6/9/98) - Amending Subsection (g) of Section 10-1004 and adding Subsection (m) to Section 10-1004 of the Fresno Municipal Code, relating to parking on streets

Action Taken: Ordinance No. 98-40 adopted

#### 4. CITY ATTORNEY

#### 5. CITY COUNCIL

A. Direct staff to return with enabling documents to increase stipend for Planning Commission members from \$25 to \$50 for each meeting - Council President Mathys

Action Taken: Direction approved

B. RESOLUTION - Recognizing the Fresno County Office of Education and the Fresno County Board of Education being located in downtown Fresno - Councilmember Ronquillo

Action Taken: Laid over to 7/21/98 at 9:10 a.m.

C. RESOLUTION - In support of retaining discount on utility services for Senior citizens - Councilmember Perea

Action Taken: Resolution No. 98-173 adopted

D. Direct City Manager to initiate process to change vesting for employees from 10 years to 5 years - Councilmember Quintero

Action Taken: Direction approved

#### 6. CITY/COUNTY INTERGOVERNMENTAL RELATIONS

7. UNSCHEDULED ORAL COMMUNICATIONS - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

#### SCHEDULED COUNCIL HEARINGS AND MATTERS

June 23 - 2:00 P.M. HEARING on annexations to Community Facilities District (CFD) No. 2

June 23 - 4:30 P.M. CONTINUED HEARING on TA No. 97-09 re: to advertising structures

June 23 - 5:30 P.M. JOINT COUNCIL/AGENCY HEARING on the proposed Fulton and South Van Ness Industrial Redevelopment Plans and amendments associated with the Merger No. 1 Project and certification of EIR No. 10124

June 30 - 10:00 A.M. HEARING on consideration of Text Amendment No. TA-98-01 relating to UGM ordinance

June 30 - 10:20 A.M. CONTINUED HEARING on the vacation of Barton Avenue

between Dakota and Hampton Avenues - R.I. 1013-D

June 30 - 10:30 A.M. CONTINUED HEARING on PA No. 98-06, Rezone Appl. No. R-98-08, filed by Sam Lucido, property located at N. Maple and E. Nees Avenue

June 30 - 10:45 A.M. CONTINUED HEARING on vacation of Merced Street betw. "B" St. and Highway 99 - R.I. No. 1010-D

June 30 - 11:00 A.M. CONTINUED HEARING to consider Rezoning Application No. R-98-07 filed by Spruce-Adoline Joint Venture, property located on the south side of W. Spruce Avenue between N. Fruit and N. Thorne Avenues (Request to continue to 6:00 p.m.)

June 30 - 11:30 A.M. Presentation by Fresno County representative regarding Fresno County Economic and Growth Scenarios

June 30 - 6:00 P.M. CONTINUED HEARING to consider Rezoning Application No. R-98-07 filed by Spruce-Adoline Joint Venture, property located on the south side of W. Spruce Avenue between N. Fruit and N. Thorne Avenues

July 7 - NO MEETING - COUNCIL VACATION

July 14 - NO MEETING - COUNCIL VACATION

July 21 - 9:00 A.M. Presentation of Fresno-Madera County East-West Corridor Study by Council of Fresno County Governments (COG)

July 21 - 9:10 A.M. RESOLUTION - Recognizing the Fresno County Office of Education - Councilmember Ronquillo

July 21 - 10:00 A.M HEARING on assessments to property taxes relating to fees due to the City

July 21 - 10:30 A.M. HEARING re: Vacation of a portion of West Avenue on the southwest corner of West and Kearney - R.I. 1003-D



July 21 - 11:00 A.M. HEARING re: vacation of portions of Herndon Avenue Frontage Rd. betw. Harrison and Palm and portions of Atlanta, Boston, Hope and Ingram, north of Herndon Avenue -R.I. 1014-D

July 21 - 2:30 P.M. HEARING on Landscaping & Lighting Maintenance District No. 1

July 21 - 3:00 P.M. HEARING to annex final maps of Tract Nos. 4570, 4736 & 4823 into Community Facilities District No. 2 - Annexation No. 5

July 28 - 10:00 A.M. CONTINUED HEARING re: Family Alliance for the Mentally Ill (FAMI)

July 28 - 2:30 P.M. HEARING on Community Facilities District No. 2 - Annexation No. 6

Aug. 4 - NO MEETING - COUNCIL VACATION

Aug. 11 - NO MEETING - COUNCIL VACATION

Aug. 18 - 5:30 P.M. Consideration of bills relating to advertised structures (billboards)

Sept. 1 - NO MEETING - COUNCIL VACATION

Sept. 8 - NO MEETING - COUNCIL VACATION